

PD0012C  
(7/93)

Report Date: November 4, 2010

**United States District Court**

**for the**

**Eastern District of Washington**

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

NOV 08 2010

JAMES R. LARSEN, CLERK  
DEPUTY  
SPOKANE, WASHINGTON

**Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Michael Dean Fiander

Case Number: 2:06CR02062-001

Address of Offender:

Name of Sentencing Judicial Officer: The Honorable William Fremming Nielsen, Senior U.S. District Judge

Date of Original Sentence: 9/28/2006

Original Offense: Felon in Possession of a Firearm, 18 U.S.C. § 922(g)(1)

Original Sentence: Prison - 127 Days;  
TSR - 36 Months

Type of Supervision: Supervised Release

Asst. U.S. Attorney: TBD

Date Supervision Commenced: 3/27/2009

Defense Attorney: Alex B. Hernandez, III

Date Supervision Expires: 6/26/2011

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**PETITIONING THE COURT**

**To issue a warrant.**

The probation officer believes that the offender has violated the following condition(s) of supervision:

**Violation Number**      **Nature of Noncompliance**

1      **Standard Condition # 2:** The defendant shall report to the probation officer and shall submit a truthful and complete written report within the first 5 days of each month.

**Supporting Evidence:** Mr. Fiander failed to submit a monthly report form within the first 5 days of the month for the months of September and October 2010.

On October 11, and September 11, 2010, a letter with an attached monthly report form was mailed to Mr. Fiander reminding him that he has failed to submit his report form within the first 5 days of the month. Mr. Fiander failed to reply to both letters and to this date, Mr. Fiander has yet to submit his monthly report form for the months of October and September 2010.

2      **Mandatory Condition # 2:** The defendant shall not commit another Federal, state, or local crime.

**Supporting Evidence:** Mr. Fiander was charged with first degree driving while license suspended and for operating a vehicle without ignition interlock, East Klickitat District Court cause number C00362763 on July 27, 2010.

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According to the East Klickitat District Court docket, a warrant was issued for Mr. Fiander for having failed to appear for hearing on August 26, 2010. The warrant remains in effect.

- 3      **Standard Condition #11:** The defendant shall notify the probation officer within 72 hours of being arrested or questioned by a law enforcement officer.

**Supporting Evidence:** Mr. Fiander failed to report law enforcement contact within 72 hours of being charged with first degree driving while license suspended and for operating a vehicle without ignition interlock on July 27, 2010.

On November 4, 2010, a records check was conducted which revealed Mr. Fiander was charged with first degree driving while license suspended and for operating a vehicle without ignition interlock on July 27, 2010.

On July 27, 2010, Mr. Fiander was also cited for speeding 11 miles per hour over the limit. The defendant received a \$196 fine.

- 4      **Special Condition #17:** You shall abstain from alcohol and shall submit to testing (including urinalysis and Breathalyzer), as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from this substance.

**Supporting Evidence:** Mr. Fiander failed to submit to random urinalysis testing at Merit Resource Services on September 14, 22, and October 13, 2010.

The U.S. Probation Office respectfully recommends the Court issue a warrant for the arrest of the defendant to answer the allegations contained in this petition.

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I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 11/04/2010

s/Jose Zepeda

Jose Zepeda  
U.S. Probation Officer

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### THE COURT ORDERS

- ☐ No Action
- ☒ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☐ Other

  
Signature of Judicial Officer

11/8/10  
Date